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REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH SPECIAL SESSION: ADVISORY BOARD ON DISARMAMENT MATTERS

Report of the Secretary-General

I. INTRODUCTION

1. In 1996, the Advisory Board on Disarmament Matters held one session, at Geneva from 1 to 5 July, chaired by Mr. Mitsuro Donowaki (Japan). The present report on the work of the Board is submitted pursuant to General Assembly resolution 38/183 O of 20 December 1983.

2. One Board member, Mr. Ednan T. Agaev (Russian Federation), completed his term of office in 1995. I have thanked him for his service to the Board. I also welcomed several new members: Mr. Tshinga Judge Dube (Zimbabwe), Mr. Yuri P. Kliukin (Russian Federation) and Ms. Wangari Maathai (Kenya). I am especially pleased that more women have accepted my invitation to join the Board. A list of the current members is contained in the annex to the present report.

3. In its capacity as the Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR), the Advisory Board devoted one day of the session to reviewing the work of the Institute. My report on the work of UNIDIR is published in a separate document (A/51/364).

4. The Board had on its agenda four items that are of particular concern to the international community in the field of disarmament and international security: (a) the comprehensive nuclear-test-ban treaty; (b) the strengthened review process of the Treaty on the Non-Proliferation of Nuclear Weapons;

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* A/51/150.

(c) microdisarmament and anti-personnel landmines; and (d) the fourth special session of the General Assembly devoted to disarmament.

5. Taking advantage of the presence of the Under-Secretary-General for Political Affairs, the Board expanded its agenda to discuss issues relating to "preventive disarmament" as a contribution to conflict prevention.

A. Comprehensive nuclear-test-ban treaty

6. I met with the Board on 1 July 1996, at which time it had become clear that the Conference on Disarmament had not been able to adopt the comprehensive nuclear-test-ban treaty at the end of the second part of the Conference session on 28 June. In my statement to the Board, I underlined again what I had stated in several messages that I delivered to the Conference: that nothing should deter the adoption of the treaty in 1996, in accordance with the wishes of the General Assembly expressed at the fiftieth session. Most of the members of the Board shared my view that the treaty would be a significant step towards improving the political climate in favour of nuclear disarmament and that it would be a contribution to the strengthening of the nuclear non-proliferation regime.

7. The Board supported my efforts with Governments and members of the Conference on Disarmament to sustain the sense of urgency and irreversibility of the adoption of the treaty. It encouraged me to intervene at the appropriate moment directly with Governments or in the framework of the newly expanded Conference on Disarmament. It also took note of my comment that the problem of financial resources in the implementation of the eventual test-ban treaty should not be underestimated.

B. Strengthened review process of the Treaty on the Non-Proliferation of Nuclear Weapons

8. As regards the preparatory process for the review conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held in the year 2000, most members agreed that the success of the first session of the Preparatory Committee, scheduled for April 1997, depended heavily upon the achievement of the test-ban treaty. Or, contrariwise, if no agreement was reached on a comprehensive nuclear-test-ban treaty, the atmosphere of the meeting might be detrimental to success. It was recalled, however, that one mitigating factor to a delayed adoption of the comprehensive nuclear-test-ban treaty was that it was unimaginable that nuclear-weapon States with declared moratoriums on nuclear-weapons testing would start testing again. In such eventuality, however, the Board underlined that action by the Secretary-General in advocating early conclusion of the comprehensive nuclear-test-ban treaty and smooth implementation of the strengthened review process as of the Treaty on the Non-Proliferation of Nuclear Weapons would be even more important.

9. A paper prepared by a member of the Board, Mr. John Simpson, put forward an extensive and thought-provoking repertory of substantive and procedural issues that need to be addressed in connection with the holding of the Preparatory

Committee. The general sense of the Board was that substantive preparations for the Preparatory Committee needed to begin as soon as possible. It recommended that I urge the depositaries to begin that process now.

C. Microdisarmament and anti-personnel landmines

10. The Board welcomed the opportunity to revisit the issue of microdisarmament and expressed support for the range of innovative and precedent-setting activity in which the United Nations had become engaged. As the gravity of the consequences of small arms proliferation in conflict-prone regions is becoming more widely known, the Board relayed to me its strong support for the Organization's promotion of international cooperation in this field, and for the efforts already deployed.

11. The Board welcomed the report given by a Board member, Brigadier General Henny J. van der Graaf, on the positive developments towards a sustainable and stable security situation in Mali - the peace agreement, demobilization, disarmament, reintegration of ex-combatants and the collaborative efforts of various United Nations offices - all of which were dramatically symbolized by the Flame of Peace Ceremony held at Timbuktu, Mali, in March 1996. On my behalf, General van der Graaf and the Director of the Centre for Disarmament Affairs acted as public certifiers of the destruction of those weapons.

12. The Board also supported peace-building efforts by the United Nations in West Africa based on a proportional and integrated security and development approach, that is, tackling security-related issues, building civil institutions and promoting development of the economic sector. That not only seemed to the Board to be a more efficient and effective use of the Organization's capacities, but also a more attractive investment for donor countries. In that regard, Members of the Board lent strong support to my initiative of convoking high-level consultations for contributing countries to sustain the Organization's efforts in that region.

13. The Board welcomed the convening of the first session (24-28 June 1996) of the Panel of Governmental Experts on Small Arms. Mr. Mitsuro Donowaki, who is the Panel's Chairman, gave an account of the orientation that the group would be taking. The Board considered that the convening of expert workshops in various regions, by means of a special fund set up for that purpose, would help to focus and deepen the work of the Panel on national, regional and subregional aspects of the small arms phenomenon. In that regard, it supported the suggestion of the Director of UNIDIR that the Panel call upon the assistance of the Institute, which has established extensive and valuable relations with researchers in the field from around the world.

14. The Board also welcomed the adoption of revised Protocol II on anti-personnel landmines by the Review Conference of the Parties to the Convention on the Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (22 April-3 May 1996). It also welcomed the precedent-setting achievements in arms control law that the adoption of Protocol II represented particularly in two aspects: its application to

conflicts not of an international character and the ban on transfers of non-self-destructive anti-personnel landmines. However, the members of the Board also shared my deep distress, from a humanitarian point of view, that States were not able to agree on a total ban on such weapons. The point was raised that for some States a total ban on anti-personnel landmines would only be feasible when realistic alternative means were available to meet their legitimate defence concerns. That point notwithstanding, the Board wished to encourage me to pursue my efforts towards a total ban by using the annual review mechanism of the Convention as a catalyst to promote its achievement. The Board welcomed the initiative of Canada to convene a meeting at Ottawa from 3 to 5 October 1996, of those countries that had declared their support for a global ban on anti-personnel landmines or had taken unilateral initiatives restricting the use or transfer of anti-personnel landmines. It considered that meeting as a means of maintaining the momentum towards a comprehensive international ban. It also welcomed the initiative of Japan to sponsor an international conference on humanitarian aspects of the landmines issue in February or March 1997.

D. Fourth special session of the General Assembly devoted to disarmament

15. Though taking note of the view expressed by the Chairman of Working Group II of the Disarmament Commission that there was, in principle, support for the convening of the fourth special session of the General Assembly devoted to disarmament, the Board recognized, nevertheless, that there was significant divergence of views on its timing and objectives. Leaving the issue of timing aside, which must necessarily be decided only by the Member States of the General Assembly, the Board strongly emphasized that such an important international gathering should not repeat the inability of the second (1982) and third (1988) special sessions to reach agreement.

16. The world has changed dramatically since the convening of the first special session in 1978. The adoption of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament (General Assembly resolution S-10/2) occurred at a very special moment in the history of multilateral disarmament dialogue. As a result, the Final Document was able to capture and construct a "grand vision" and a long-term programme of action. Such a moment would be difficult to repeat and should not be attempted. Most of the members of the Board considered that it would be most prudent to preserve the Final Document as it was.

17. There were members who expressed concern that further special sessions devoted solely to disarmament would result in an unproductive attempt at revising the Final Document. To avoid that, and to reflect the changes that have taken place in the international environment since 1978, many members felt that a new departure might be contemplated, one that would take a step forward into the next millennium by focusing more broadly on security, peace and disarmament, perhaps in the form of an international conference under the auspices of the United Nations.

18. There were also those who considered that, in view of the time that has elapsed since the adoption of the Final Document of the Tenth Special Session of

the General Assembly, the profound and far-reaching changes that have transformed the international security landscape since the end of the cold war era, and the advent of a new century, profitable use could be made of the special session of the General Assembly devoted to disarmament to review and assess progress towards the "grand vision" and programme of action of the Final Document. The insights derived from such a review and assessment would certainly be invaluable for charting a new disarmament agenda appropriate for a new century, which could well be formulated in a subsequent United Nations conference on disarmament and international security.

19. As regards the most appropriate time for the convening of the special session, the Board felt that it was premature to give its advice. Instead, it strongly underlined that such a meeting should be thoroughly prepared and meet when it had the best chance of achieving success. Members agreed with my view that the progress made on the preparations for the meeting, and the atmosphere surrounding those preparations, would be the best indication of the appropriate time to convene the meeting. The Board also discussed proposals that have been made by non-governmental organizations to hold a further peace conference at The Hague in 1999 in commemoration of the centenary of the 1899 event.

20. The preparatory process should include substantive consideration of the agenda of the future meeting. Members generally agreed that the agenda should be a balance of nuclear and conventional issues. Although nuclear disarmament and non-proliferation remain the highest concern, they also recognized that conventional arms control and disarmament issues, including landmines, should be more prominent on the agenda than in the past.

21. The Board has discussed the changing disarmament agenda and will continue to do so. Many members were of the view that the question of "general and complete disarmament under effective international control", even as an ultimate objective, would need to be rigorously reviewed in the light of current day realities. They were sympathetic with my appeal for the international community to tackle the issue of terrorism, but felt that further thought should be given to how it could be fitted into the "disarmament" agenda.

II. "PREVENTIVE DISARMAMENT" AS A CONTRIBUTION TO CONFLICT PREVENTION

22. On the initiative of Mr. Curt Gasteyger, Director of the Programme for Strategic and International Security Studies of the Graduate Institute of International Studies in Geneva, the Board held a discussion on the role of "preventive disarmament" as a contribution to conflict prevention. The Board felt that the concept related today more to disarmament at the micro level than to disarmament of large conventional weapons or weapons of mass destruction. It welcomed the statement made by the Under-Secretary-General for Political Affairs, framing "preventive disarmament" measures in the overall concept of preventive action.

23. In that regard, members shared my extreme concern about the plight of Central Africa, both in respect of the humanitarian consequences after the 1994 events in Rwanda as well as of the vast amount of weapons in the region. They

supported the unwavering efforts of the Organization to defuse the potentially explosive situation in Burundi.

24. Members underlined the need for an integrated approach to preventive action by the United Nations that would entail better coordination between disarmament, development and humanitarian activities. The Board appreciated the difficulty involved in convincing Governments of the advantages of preventive action. In that connection, however, Members suggested that a mobilized public opinion, often shaped by non-State actors, could have a strong influence on government policy. They were convinced that the United Nations did not stand alone in responsibility and that Governments, regional and subregional organizations should be held accountable for preventive action or the lack thereof. Several members stressed the need for more extensive training for peacekeepers, and were gratified that more, although far from enough, attention was being paid to that aspect. They welcomed the UNIDIR follow-up project dealing with demobilization and disarmament and conflict prevention strategies, focusing in the first place on West Africa.

III. MEETING WITH REPRESENTATIVES OF NON-GOVERNMENTAL ORGANIZATIONS

25. The Advisory Board continued the useful practice of meeting with representatives of non-governmental organizations and took the opportunity of its session at Geneva to meet with several members of the Special NGO Committee on Disarmament, Geneva. The non-governmental organization representatives stressed to the Board the importance their organizations attached to the judgement of the International Court of Justice on the illegality of use of nuclear weapons. They expressed the hope that their campaign for a world without nuclear weapons would be reflected in the agenda of the multilateral disarmament organs without delay.

26. The non-governmental organization community welcomed the possible convening of the fourth special session as a window of opportunity for the mobilization of public opinion and for a renewed commitment to nuclear disarmament. They pledged the support of their organizations for a successful Preparatory Committee for the next Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 1997 and in that context stressed that non-governmental organizations were hoping for the opportunity to address sessions of that Committee.

27. The centrality of conventional disarmament, and in that context microdisarmament, needed to be recognized as such weapons' build-ups had direct effects on human rights situations as well as undermined development efforts of the poorer countries. The non-governmental organization community sought a larger role in intergovernmental forums and looked forward to a review of United Nations disarmament machinery that would more fully reflect the pivotal role it played.

IV. GENEVA CENTRE FOR SECURITY POLICY

28. Upon the invitation of the Government of Switzerland, the Board participated in a meeting at the Geneva Centre for Security Policy, a newly established international education and training institute for government officials on security policy. The meeting was addressed by the President of the International Committee of the Red Cross (ICRC), Dr. Cornelio Sommaruga, who presented a comprehensive review of ICRC policies on anti-personnel landmines, and heard his pledge to work through national and regional efforts towards a total ban on those weapons. 1/ The meeting also heard a first-hand account of the implementation of disarmament in Iraq from the Executive Chairman of the United Nations Security Council Commission, Mr. Rolf Ekeus, who was on a return trip from Baghdad.

V. FUTURE WORK

29. The Board expressed to me again its appreciation that I had revived the practice of the Board to meet twice a year - it met twice in 1994 and 1995 - and thus regretted that the Organization's current financial crisis had permitted it to meet only once in 1996, and that it would probably only meet once in 1997. It earnestly hoped that the practice of meeting twice a year would be reinstated as soon as it became financially possible.

30. The Board will continue to keep the problems related to nuclear disarmament and the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons as top priority items on its agenda. As to the problems of major conventional weapons, the Board is aware that the United Nations Register of Conventional Arms will be reviewed by a panel of governmental experts in 1997, and is looking forward to the results of that review. The Board's interest in microdisarmament and its relation to preventive action deepened this session and there was a wide interest in keeping those items also high on its future agenda.

31. Furthermore, the Board informed me that it would continue to consider the state of play on the convening of the fourth special session of the General Assembly on disarmament or a global conference to define a new vision of disarmament and international security in the twenty-first century.

32. I should like to express my gratitude to the members of the Board for the lively exchange of views we had at Geneva and for the suggestions and recommendations that they conveyed to me.

Notes

1/ President Sommaruga's statement was reproduced in Disarmament: A Periodic Review by the United Nations, vol. XIX, No. 2, 1996.

ANNEX

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